

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10855 of 2000

with

SPECIAL CIVIL APPLICATION No 10865 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE R.P.DHOLAKIA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
 5. Whether it is to be circulated to the Civil Judge? : NO

HIND RICE & PULSE MILLS UNIT-2

Versus

KALUPUR COMMERCIAL CO.OP BANK LTD

Appearance:

1. Special Civil Application No. 10855 of 2000
MR PR THAKKAR for Petitioner
MR DEVESH A BHATT for Respondent No. 1
NOTICE SERVED for Respondent No. 2, 3
 2. Special Civil Application No 10865 of 2000
MR PR THAKKAR for Petitioner
MR DEVESH A BHATT for Respondent No. 1
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Date of decision: 18/12/2000

COMMON ORAL JUDGEMENT

Learned advocates for the respective parties are present. They have shown me the common order initially passed by the Gujarat State Co.Op. Tribunal on 26-9-2000 in Appeal Nos.529 and 530 typed copy of which is produced at page No.28 as also Annexure-C, page 30. The Tribunal on the one hand has granted interim relief in favour of the petitioner and on the other hand has vacated the same on the second adjournment i.e. on 4-10-2000 on the ground that it has no jurisdiction. But the Tribunal has not decided the appeals which are pending before it and it would have been in the fitness of things if the whole appeals would have been finally decided along with the extension application. But it has not been done till today though appeals had been peremptorily fixed for final hearing on 17-10-2000. Therefore, with the consent of parties, the following order is passed.

Gujarat State Co.Op. Tribunal is hereby directed to finally decide Appeal Nos.529 of 2000 and 530 of 2000 within a period of fifteen days from the date of receipt of a copy of this common order. Learned advocates appearing for the respective parties have given assurance that they will not seek any adjournment before the Tribunal. The interim order passed by the Tribunal on 4-10-2000 suspending vacation of stay shall remain in operation till then.

With the aforesaid observation and direction, both these Special Civil Applications stand disposed of. Notices discharged.

(R.P.DHOLAKIA, J.)
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